

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
SOUTHERN DIVISION**

**DAVID SCOTT CASEY**

**PLAINTIFF**

**v.**

**CAUSE NO. 1:18CV411-LG-RHW**

**REINHART FOODSERVICE  
LOUISIANA, LLC**

**DEFENDANT**

**ORDER REQUIRING PARTIES TO  
SUBMIT SUPPLEMENTAL BRIEFS**

**BEFORE THE COURT** is Defendant Reinhart Foodservice, L.L.C.'s [3] Motion to Dismiss Plaintiff's Complaint and Enforce the Parties' Agreement to Arbitrate Their Disputes. After the parties finished briefing the Motion, the Fifth Circuit held that a plaintiff's procedural unconscionability argument must be adjudicated by a court, not an arbitrator. *See Bowles v. OneMain Fin. Grp.*, 927 F.3d 878, 884 (5th Cir. 2019). The parties in the present case are directed to file supplemental briefs addressing whether the manner in which the alleged arbitration agreement was formed was procedurally unconscionable. Reinhart's supplemental brief is due on August 12, 2019, and Casey's supplemental response is due on August 24, 2019. Reinhart may file a reply to Casey's supplemental response on or before August 30, 2019.

**IT IS, THEREFORE, ORDERED AND ADJUDGED** that the parties must file supplemental briefs concerning Reinhart's [3] Motion to Dismiss and Compel Arbitration.

**SO ORDERED AND ADJUDGED** this the 31<sup>st</sup> day of July, 2019.

s/ *Louis Guirola, Jr.*

LOUIS GUIROLA, JR.  
UNITED STATES DISTRICT JUDGE